

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND LIZ
VELAZQUEZ MCKINNON,

Defendants.

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**JOINT MOTION FOR EXTENSION OF TIME
TO FILE JURY INSTRUCTIONS, VERDICT FORM, AND
RESPONSE TO MOTION IN LIMINE**

Plaintiff, Cruz Valdivieso Figuera, and Defendants, All VIP Care Inc. and Liz Velazquez McKinnon, agree to jointly request that the Court grant them a brief extension of time to file their proposed Jury Instructions and Verdict Form and for Defendants to file their Response to the Motion in Limine based on the following good cause:

1. This case is scheduled for trial during the Court's two-week trial docket commencing on October 23, 2023, with Calendar Call on October 20, 2023. [ECF No. 20.]
2. The parties have been diligently working on preparing for the trial of this case, including through narrowing and/or resolving issues when possible.
3. To this end, the parties are discussing and working through using certain Joint Exhibits, eliminating claims to be litigated at trial by agreeing on the existence of a contract, and thereby narrowing the issues for consideration by the Court and the jury.

4. Defense counsel's ability to address all of these issues and the Motion in Limine has been hampered by staffing issues, further complicating the parties' ability to submit all the necessary pre-trial documents today.

5. Pursuant to Fed. R. Civ. P. 6(b)(1) "When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires."

6. It follows that this Court has the power to "control the disposition of the causes on its docket with economy of time and effort for itself, for counsel and for litigants." *Landis v. North American Co.*, 299 U.S. 248, 254 (1936); *also see Clinton v. Jones*, 520 U.S. 681, 706-707 (1997).

7. The parties respectfully request that the Court determine that they have demonstrated good cause to extend the deadlines for Defendants to file their Response to the Motion in Limine until Monday, October 16, 2023, and for the parties to file their Jury Instructions and Verdict Form until Tuesday, October 17, 2023.

WHEREFORE Plaintiff, Cruz Valdivieso Figuera, and Defendants, All VIP Care Inc. and Liz Velazquez McKinnon, respectfully request the Court to grant them the relief requested above.

Dated this 13th day of October 2023.

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